

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Angela Gianato

Debtor(s)

CHAPTER 13

Freedom Mortgage Corporation

Movant

vs.

NO. 19-15814 PMM

Angela Gianato

Debtor(s)

Scott F. Waterman

Trustee

11 U.S.C. Section 362

**MOTION OF FREEDOM MORTGAGE CORPORATION
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362**

1. Movant is Freedom Mortgage Corporation.

2. Debtor(s) is the owner(s) of the premises 104 Topland Drive, Lancaster, PA 17601, hereinafter referred to as the mortgaged premises.

3. Movant is the holder of a mortgage, original principal amount of \$151,007.00 on the mortgaged premises that was executed on July 27, 2012 . The mortgage has been assigned as follows:

Mortgage Electronic Registration Systems, Inc., (“MERS”) solely as nominee for NXTLOAN.COM to Freedom Mortgage Corporation dated 9/23/2019; recorded 9/23/2019.

4. Scott F. Waterman, is the Trustee appointed by the Court.

5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).

6. Debtor(s) has failed to make the monthly post-petition mortgage payments in the amount of \$986.93 for the months of September 2023 through November 2023 with less of a suspense balance of \$15.19.

7. The total amount necessary to reinstate the loan post-petition is \$2,945.60.

8. Movant is entitled to relief from stay for cause.

9. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Michael P. Farrington, Esq.

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